



U.S. Department of Justice

Civil Division

157-52-5307

ORIGINAL

Washington, D.C. 20530

May 21, 2004

via Federal Express overnight delivery

Honorable Cheryl Pollak
U.S. Magistrate Judge
U.S. District Court for the
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Turkmen, et al. v. Ashcroft, et al., No. 02 CV 2307 (E.D.N.Y.) (JG)

Dear Judge Pollak:

This letter is submitted on behalf of the government agencies subject to subpoenas for documents in the above captioned case. On May 20, 2004, this Office received by Federal Express overnight delivery plaintiffs' letter dated May 19, 2004 ("Plaintiffs' Letter"), seeking an order to compel discovery. Ordinarily, a party wanting to respond to a letter filed pursuant to Local Rule 37.3(c) has three days to do so. However, because this case involves the assertion of privilege, the responsive government agencies will require additional time to produce the appropriate declarations asserting privilege.

Undersigned counsel contacted Nancy Chang, counsel for plaintiffs, regarding her clients' position regarding an extension of time to file a response to Plaintiffs' Letter. Ms. Chang stated that her clients agree that the government agencies may file their response by Tuesday, June 1, 2004.¹

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¹ In the interim, the government will be responding to part of Ms Chang's concerns by addressing the letters of November 20, 2003, and January 5, 2004.

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Accordingly, this letter is provided to inform the Court that, by agreement of the parties, the responsive government agencies will provide a response to Plaintiffs' Letter and will file it with the Court on Tuesday, June 1, 2004. If you have any question, please contact me.

Respectfully submitted,



ERNESTO H. MOLINA, JR. (EM4955)

Senior Litigation Counsel

United States Department of Justice

Civil Division

Office of Immigration Litigation

P.O. Box 878, Ben Franklin Station

Washington, D.C. 20044-0878

TEL: (202) 616-9344

FAX: (202) 616-4975

Attorney for the Named Defendants in their
Official Capacities

cc: Nancy Chang (Counsel for Plaintiffs)
Center for Constitutional Rights
666 Broadway, 7th Floor
New York, NY 10012

So Ordered

u.s.m.j.

5/24/03